IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 8TH NOVEMBER 2006 / 17TH KARTHIKA 1928

Bail Appl..No. 6370 of 2006

CMP.4835/2006 of J.M.F.C.-IV,KOZHIKODE
CRIME NO.240/2005 OF NADAKKAVU POLICE STATION

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: PETITIONERS/ACCUSED

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1. ABDURAHIMAN V.P., S/O.AMMEES USMAN,
   V.P.HOUSE, THULAM MUTTAM VAYAL,
   ARAKKINAR P.O., MATHOTTAM.

2. ABDURAHEEM E.K., S/O.KOYASSAN,
   EDAPPATHIL HOUSE, PARAMBIL P.O.,
   KOZHIKODE.

3. ABDUSALEEM K., S/O.UMMER T.K.,
   SOUPARNIKA HOUSE, CHAKKITTAKANDI,
   VENGERI P.O., VARATHOOR,
   KOZHIKODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT AND STATE

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1. THE SUB INSPECTOR OF POLICE,
   NADAKKAVU POLICE STATION.

2. THE DEPUTY SUPERINTENDENT OF POLICE,
   CRIME BRANCH POLICE, KOZHIKODE.

3. STATE, REP. BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6370/2006

DATED THIS THE 8TH DAY OF NOVEMBER, 2006

O R D E R

The petitioners are accused Nos. 1, 2 and 4 in crime No.240/2005 of Nadakkavu Police Station, for the offence punishable under Sections 143, 147, 148, 324, 326 and 307 IPC read with Section 149 IPC. Now the same is being investigated after re-registration, as crime No.138/CR/06 of Crime Branch Police, Kozhikode.

2. The petitioners were before this Court for a pre-arrest order. They were directed to surrender before the Investigating Officer of Crime Branch Police, Kozhikode, on 12.10.2006. As per the order of this Court dated 6.10.2006, they had surrendered and interrogated by the Investigating Officer. Thereafter, they were produced before the Court below. The application for bail, moved by the petitioners, were rejected by the Court below and they remain in judicial custody. Hence this application, under Section 439 Cr.P.C.

3. After hearing both sides and considering the materials that are placed before me, I grant bail and

release the petitioners from jail subject to the following conditions:-

(a). Each petitioner shall execute a bond for Rs.20,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-IV, Kozhikode.

(b). The petitioners shall report before the Investigating Officer, once in a week on every Saturday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 11.11.2006, and thereafter, on the first working day of every month, between the same timings, till the completion of the trial and final disposal of the Sessions Case.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs